EXP

U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CIVIL DOCKET FOR CASE #: 2:17−cv−01083−DJH

American Civil Liberties Union of Arizona v. United States Department of Homeland Security et al
Assigned to: Judge Diane J Humetewa
Cause: 05:552 Freedom of Information Act

Date Filed: 04/12/2017
Jury Demand: None
Nature of Suit: 895 Other Statutes: Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

American Civil Liberties Union of Arizona

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Defendant

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United States Customs and Border Protection

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Date Filed	#	Docket Text
04/12/2017	1	COMPLAINT. Filing fee received: $ 400.00, receipt number 0970−14116866 filed by American Civil Liberties Union of Arizona. (Submitted by David Bodney). (Attachments: # 1 Exhibit, # 2 Civil Cover Sheet)(SLQ) (Entered: 04/12/2017)
04/12/2017	2	Filing fee paid, receipt number 0970−14116866. This case has been assigned to the Honorable Deborah M Fine. All future pleadings or documents should bear the correct case number: CV−17−01083−PHX−DMF. Magistrate Election form attached. (Attachments: # 1 Magistrate Consent Form Instructions)(SLQ) (Entered: 04/12/2017)
04/12/2017	3	SUMMONS Submitted by American Civil Liberties Union of Arizona. (Bodney, David) (Entered: 04/12/2017)
04/12/2017	4	Corporate Disclosure Statement by American Civil Liberties Union of Arizona. (Bodney, David) (Entered: 04/12/2017)
04/12/2017	5	ORDER that motions pursuant to Fed. R. Civ. P. 12(b) are discouraged if the defect can be cured by filing an amended pleading. The parties must meet and confer prior to the filing of such motions to determine whether it can be avoided. FURTHER

		ORDERED that Plaintiff(s) serve a copy of this Order upon Defendant(s) and file a notice of service. See attached Order for complete details. Signed by Magistrate Judge Deborah M Fine on 4/12/17. (KGM) (Entered: 04/12/2017)
04/12/2017	6	SCHEDULING ORDER: Defendant shall serve an answer or otherwise plead within thirty days after service, unless the Court otherwise directs for good cause shown. The deadline for filing dispositive motions is six months from the date the case is at issue. Failure to file such a motion shall result in dismissal for lack of prosecution. Plaintiff shall serve Defendant with a copy of this Order. Signed by Magistrate Judge Deborah M Fine on 4/12/17. (KGM) (Entered: 04/12/2017)
04/13/2017	7	SUMMONS Submitted by American Civil Liberties Union of Arizona. (Bodney, David) (Entered: 04/13/2017)
04/13/2017	8	SUMMONS Submitted by American Civil Liberties Union of Arizona. (Bodney, David) (Entered: 04/13/2017)
04/14/2017	9	Summons Issued as to United States Customs and Border Protection, United States Department of Homeland Security. (Attachments: # 1 Summons)(BAS). *** IMPORTANT: When printing the summons, select "Document and stamps" or "Document and comments" for the seal to appear on the document. (Entered: 04/14/2017)
05/08/2017	10	NOTICE of Appearance by Chetan Patil on behalf of United States Customs and Border Protection, United States Department of Homeland Security. (Patil, Chetan) (Entered: 05/08/2017)
05/08/2017	11	NOTICE re: of Motion filed with the JPML to Transfer Action Pursuant to 28 U.S.C. 1407 by United States Customs and Border Protection, United States Department of Homeland Security . (Attachments: # 1 Index of Exhibits, # 2 Exhibit Exhibit 1 − Transfer Motion, # 3 Exhibit Exhibit 2 − Supporting Memorandum, # 4 Exhibit Exhibit 3 − Schedule of Actions)(Patil, Chetan) (Entered: 05/08/2017)
05/08/2017	12	Magistrate Election Form Deadline set as to United States Customs and Border Protection, United States Department of Homeland Security. (Attachments: # 1 Consent Form)(MAP) (Entered: 05/09/2017)
05/09/2017	13	Order that American Civil Liberties Union of Arizona show cause for failure to comply with LRCiv 3.7(b) before Judge G Murray Snow. Show Cause Hearing set for 6/5/2017 at 04:30 PM before Judge G Murray Snow. (Attachments: # 1 Instructions, # 2 Consent Form)(MAP) (Entered: 05/09/2017)
05/10/2017	14	Party Elects Assignment of Case to District Judge Jurisdiction. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAP) (Entered: 05/10/2017)
05/10/2017	15	MINUTE ORDER: Pursuant to Local Rule 3.7(b), a request has been received for a random reassignment of this case to a District Judge. FURTHER ORDERED Case reassigned by random draw to Judge Diane J. Humetewa. All further pleadings/papers should now list the following COMPLETE case number: CV−17−1083−PHX−DJH. FURTHER ORDERED that the Order to Show Cause Hearing scheduled for June 5, 2017 is hereby VACATED. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAP) (Entered: 05/10/2017)
05/11/2017	16	Joint MOTION for Extension of Time to File Answer re: 1 Complaint *or otherwise respond to Complaint* by United States Customs and Border Protection, United States Department of Homeland Security. (Attachments: # 1 Text of Proposed Order)(Patil, Chetan) (Entered: 05/11/2017)
05/11/2017	17	ORDER granting the parties' Stipulation for Extension of Time to Respond to Complaint 16 and allowing Defendants up to and including July 10, 2017 to file an answer or otherwise respond to Plaintiff's complaint. Signed by Judge Diane J Humetewa on 5/11/2017.(LMR) (Entered: 05/11/2017)
05/12/2017	18	MOTION to Stay *Proceedings pending decision by the Judicial Panel on Multidistrict Litigation on Defendants' Motion to Transfer* by United States Customs and Border Protection, United States Department of Homeland Security. (Attachments: # 1 Text of Proposed Order)(Patil, Chetan) (Entered: 05/12/2017)

05/26/2017	19	RESPONSE in Opposition re: 18 MOTION to Stay *Proceedings pending decision by the Judicial Panel on Multidistrict Litigation on Defendants' Motion to Transfer* filed by American Civil Liberties Union of Arizona. (DiGiacomo, Michael) (Entered: 05/26/2017)
06/01/2017	20	NOTICE re: Notice of Filing Opposition to Defendants' Motion to Transfer to the District of Columbia for Consolidation by American Civil Liberties Union of Arizona . (DiGiacomo, Michael) (Entered: 06/01/2017)
06/02/2017	21	REPLY to Response to Motion re: 18 MOTION to Stay *Proceedings pending decision by the Judicial Panel on Multidistrict Litigation on Defendants' Motion to Transfer* filed by United States Customs and Border Protection, United States Department of Homeland Security. (Patil, Chetan) (Entered: 06/02/2017)
06/06/2017	22	NOTICE re: Filing of JPML Reply Brief by United States Customs and Border Protection, United States Department of Homeland Security . (Attachments: # 1 JPML Reply Brief)(Berns, Matthew) (Entered: 06/06/2017)
06/07/2017	23	NOTICE re: of Order Denying Motion to Stay Proceeding Entered in the United States District Court for the Western District of Washington by American Civil Liberties Union of Arizona . (DiGiacomo, Michael) (Entered: 06/07/2017)
06/19/2017	24	NOTICE re: Decision in Related Case by United States Customs and Border Protection, United States Department of Homeland Security . (Attachments: # 1 District of Maine Order)(Berns, Matthew) (Entered: 06/19/2017)
06/22/2017	25	NOTICE re: Recent Decisions by United States Customs and Border Protection, United States Department of Homeland Security . (Attachments: # 1 Central District of California Opinion, # 2 District of Oregon Opinion)(Berns, Matthew) (Entered: 06/22/2017)
06/26/2017	26	NOTICE re: Decisions in Related Cases by United States Customs and Border Protection, United States Department of Homeland Security . (Attachments: # 1 Eastern District of Virginia Order)(Patil, Chetan) (Entered: 06/26/2017)
06/26/2017	27	NOTICE re: of Orders Denying Motions to Stay Proceedings by American Civil Liberties Union of Arizona . (Attachments: # 1 Exhibit, # 2 Exhibit)(DiGiacomo, Michael) (Entered: 06/26/2017)
06/27/2017	28	NOTICE of Errata re: 27 Notice (Other) by Plaintiff American Civil Liberties Union of Arizona.. (DiGiacomo, Michael) (Entered: 06/27/2017)
06/28/2017	29	NOTICE re: Decision in Related Case by United States Customs and Border Protection, United States Department of Homeland Security . (Attachments: # 1 Northern District of Illinois Order)(Patil, Chetan) (Entered: 06/28/2017)
06/29/2017	30	NOTICE re: Decision in Related Case by United States Customs and Border Protection, United States Department of Homeland Security . (Attachments: # 1 Southern District of Florida Order)(Patil, Chetan) (Entered: 06/29/2017)
07/03/2017	31	NOTICE re: Decision in Related Case by United States Customs and Border Protection, United States Department of Homeland Security . (Attachments: # 1 Northern District of Georgia Order)(Patil, Chetan) (Entered: 07/03/2017)
07/10/2017	32	ANSWER to 1 Complaint by United States Customs and Border Protection, United States Department of Homeland Security.(Patil, Chetan) (Entered: 07/10/2017)
08/02/2017	33	MDL ORDER DENYING TRANSFER. ORDERED That the Motion for Centralization of these Actions (Listed on Schedule A) is Denied. (MAP) (Entered: 08/02/2017)
08/03/2017	34	ORDER denying as moot Defendants' 18 Motion to Stay. Signed by Judge Diane J Humetewa on 8/3/2017.(LFIG) (Entered: 08/03/2017)
08/21/2017	35	NOTICE OF ATTORNEY SUBSTITUTION: Carol Federighi appearing for United States Customs and Border Protection, United States Department of Homeland Security. Attorney Matthew J Berns and Chetan Patil terminated. . (Federighi, Carol) (Entered: 08/21/2017)

08/30/2017	36	NOTICE of Appearance by William Bradford Peard on behalf of American Civil Liberties Union of Arizona. (Peard, William) (Entered: 08/30/2017)
10/17/2017	37	STIPULATION *Setting Deadline to File Joint Status Report* by American Civil Liberties Union of Arizona. (Attachments: # 1 Text of Proposed Order)(DiGiacomo, Michael) (Entered: 10/17/2017)
10/24/2017	38	ORDER granting the 37 Stipulation. ORDERED that the parties shall file a Joint Status Report on or before January 10, 2018, describing the status of the production of documents responsive to Plaintiff's FOIA request, stating whether dispositive motions will be required, and, if so, setting forth a schedule for such motions. Signed by Judge Diane J Humetewa on 10/24/2017. (LFIG) (Entered: 10/24/2017)
12/13/2017	39	MOTION for Order Setting Schedule for Production of Responsive Documents *filed* by American Civil Liberties Union of Arizona. (Attachments: # 1 Proposed Order)(DiGiacomo, Michael) (Entered: 12/13/2017)
12/22/2017	40	STIPULATION re: 39 MOTION for Order Setting Schedule for Production of Responsive Documents *filed* by United States Customs and Border Protection, United States Department of Homeland Security. (Attachments: # 1 Text of Proposed Order)(Federighi, Carol) (Entered: 12/22/2017)
01/03/2018	41	ORDER approving the parties' 40 Stipulation and Defendants shall have until 1/3/2018 to file their Response to Plaintiff's 39 MOTION for Order Setting Schedule for Production of Responsive Documents. Signed by Judge Diane J Humetewa on 1/3/2018. (LFIG) (Entered: 01/03/2018)
01/03/2018	42	RESPONSE to Motion re: 39 MOTION for Order Setting Schedule for Production of Responsive Documents *filed* filed by United States Customs and Border Protection, United States Department of Homeland Security. (Attachments: # 1 Exhibit A: Howard Declaration, # 2 Exhibit B: Federighi Declaration)(Federighi, Carol) (Entered: 01/03/2018)
01/10/2018	43	STATUS REPORT *// Joint Status Report* by American Civil Liberties Union of Arizona. (DiGiacomo, Michael) (Entered: 01/10/2018)
01/10/2018	44	REPLY to Response to Motion re: 39 MOTION for Order Setting Schedule for Production of Responsive Documents *filed* filed by American Civil Liberties Union of Arizona. (DiGiacomo, Michael) (Entered: 01/10/2018)
05/21/2018	45	ORDER: IT IS ORDERED the parties shall file a Joint Status Report by May 28, 2018 regarding the status of the documents produced to date related to the Motion for Discovery Schedule (Doc. 39). ORDERED by Judge Diane J Humetewa on 5/21/2018. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (LFIG) (Entered: 05/21/2018)
05/21/2018	46	ORDER that Defendants must SHOW CAUSE in writing on or before Thursday, May 31, 2018, as to the number of pages per month of the documents referenced in the Motion (Doc. 39), the Defendants are currently able to produce, and why the Court should not Order Defendants to produce the documents a rate of 1,000 pages per month. Signed by Judge Diane J Humetewa on 5/21/2018. (LFIG) (Entered: 05/21/2018)
05/29/2018	47	STATUS REPORT *(Joint)* by United States Customs and Border Protection, United States Department of Homeland Security. (Federighi, Carol) (Entered: 05/29/2018)
05/31/2018	48	RESPONSE TO ORDER TO SHOW CAUSE re: 46 Order to Show Cause by Defendants United States Customs and Border Protection, United States Department of Homeland Security. (Attachments: # 1 Exhibit Second Howard Declaration)(Federighi, Carol) (Entered: 05/31/2018)
06/05/2018	49	*ORDER granting Plaintiff's 39 Motion. ORDERED that Defendants shall produce the remaining documents pursuant to the following schedule: at least 500 pages by June 30, 2018; at least 1,000 pages by August 31, 2018; at least 2,129 pages by October 31, 2018; and all 2,241 pages by November 30, 2018. Signed by Judge Diane J Humetewa on 6/4/2018. (LFIG) *Modified on 6/22/2018 to reflect order is amended in part to clarify the term produce per Doc. 53. (LFIG) (Entered: 06/05/2018)

06/13/2018	50	MOTION to Produce Vaughn Index and Memorandum in Support Thereof by American Civil Liberties Union of Arizona. (Attachments: # 1 Text of Proposed Order)(DiGiacomo, Michael) (Entered: 06/13/2018)
06/15/2018	51	* MOTION for Clarification re: 49 Order on Motion for Miscellaneous Relief by United States Customs and Border Protection, United States Department of Homeland Security. (Attachments: # 1 Text of Proposed Order)(Federighi, Carol) *Modified on 6/18/2018 to correct event type (MSA). (Entered: 06/15/2018)
06/15/2018	52	*AMENDED MOTION for Clarification re: 49 Order on Motion for Miscellaneous Relief *(to Clarify Order)* by United States Customs and Border Protection, United States Department of Homeland Security. (Attachments: # 1 Text of Proposed Order)(Federighi, Carol) *Modified on 6/18/2018 to correct event type (MSA). (Entered: 06/15/2018)
06/22/2018	53	ORDER: Upon review, IT IS ORDERED granting Defendants' 52 Amended Motion to Clarify the Court's Order of June 5, 2018. The Court's 49 Order is hereby amended to clarify that Defendants are to "process" rather than "produce" pages in accordance with the timeline described in the 49 Order. The Order remains unaltered in all other respects. ORDERED by Judge Diane J Humetewa on 6/22/2018. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (LFIG) (Entered: 06/22/2018)
06/26/2018	54	RESPONSE in Opposition re: 50 MOTION to Produce Vaughn Index and Memorandum in Support Thereof filed by United States Customs and Border Protection, United States Department of Homeland Security. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Federighi, Carol) (Entered: 06/26/2018)
06/29/2018	55	STIPULATION *Extending Deadline for Plaintiff to File Reply in Support of Motion for Order Directing Defendants to Produce a Vaughn Index* by American Civil Liberties Union of Arizona. (Attachments: # 1 Text of Proposed Order)(DiGiacomo, Michael) (Entered: 06/29/2018)
07/10/2018	56	ORDER approving 55 Stipulation and that Plaintiff shall have to and including July 13, 2018 to file its reply in support of the 50 Motion for Order Directing Defendants to Produce a Vaughn Index. Signed by Judge Diane J Humetewa on 7/10/18. (LAD) (Entered: 07/10/2018)
07/13/2018	57	REPLY to Response to Motion re: 50 MOTION to Produce Vaughn Index and Memorandum in Support Thereof */Plaintiff's Reply in Support of Motion for Order Directing Defendants to Produce a Vaughn Index* filed by American Civil Liberties Union of Arizona. (Attachments: # 1 Exhibit A)(DiGiacomo, Michael) (Entered: 07/13/2018)
10/18/2018	58	ORDER denying without prejudice to re−file the 50 Motion for an Order Directing Defendants to Produce a *Vaughn* Index. Signed by Judge Diane J Humetewa on 10/18/2018. (See Order for details.) (LFIG) (Entered: 10/18/2018)
12/04/2018	59	STATUS REPORT by United States Customs and Border Protection, United States Department of Homeland Security. (Federighi, Carol) (Entered: 12/04/2018)